

NCWM Voluntary Program Assessment Work Group
Administrative Responsibilities Evaluation Checklist
Retail Motor Fuel Inspection Programs
February 7, 2000

Jurisdiction: _____ Director Name: _____

Numbered items in normal text are the requirements. The standard to assess compliance with the standard is written immediately after the requirement in *italic type* in the form of questions. For each requirement, circle Yes or No, or NA if not applicable to answer the questions. The NA option may not be available for all questions. For each "No" circled, identify the requirement number and provide an explanation on a comment sheet. Also use the comment sheet to make other notes regarding your findings.

Items with an asterisk "*" after the number indicate non-critical program areas. A "No" or "NA" response for one of these items will not be considered a critical program deficiency.

1. Provide Legal and Financial Basis for Inspection Program		
<i>Are laws enacted or regulations promulgated pursuant to procedures of the jurisdiction in the following areas? Sections taken from, or based on, Handbook 130 for each item below may be used to document compliance. Jurisdictions may also have unique wording to meet special needs.</i>		
1.1	Law enacted specifying authority to inspect and test devices, authorizing access to premises, etc. <i>Do inspectors have legal power to enter commercial establishments and conduct inspections (See Handbook 130 Weights and Measures Law Section 12)?</i>	Yes No
1.2	Law enacted specifying power to promulgate regulations to give full effect to the law. <i>Does the Director (or agency head) have authority to promulgate regulations (See Handbook 130 Weights and Measures Law Section 12)?</i>	Yes No
1.3	Law enacted specifying enforcement tools. <i>Do inspectors have authority to issue condemnation and stop-use orders?</i>	Yes No
	<i>Does the Director have authority to cite penalties, prosecute violators, and/or employ other enforcement tools (See Handbook 130 Weights and Measures Law Section 13)?</i>	Yes No
1.4*	Regulations in place setting frequency of inspection for devices. <i>Is a regulation or are procedures in effect setting frequency of inspection for commercial devices?</i>	Yes No NA
1.5	Regulations in place promulgating current version of Handbook 44. <i>Is a regulation in effect adopting the current version of NIST Handbook 44?</i>	Yes No
1.6	Regulations in place requiring NTEP Certificate of Conformance for devices used or sold for use in commerce. <i>Is a regulation in effect that requires that a device be traceable to a Certificate of Conformance, or otherwise approved by the jurisdiction (See Handbook 130 National Type Evaluation Regulation)?</i>	Yes No
1.7*	Regulations in place to register service persons and define duties and responsibilities for service persons. <i>Is a regulation in effect authorizing the Director to register servicepersons?</i>	Yes NA
	<i>Does the regulation in effect define qualifications, duties and responsibilities of servicepersons (See Handbook 130 Voluntary Registrations of Servicepersons Regulation)?</i>	Yes No NA (Use NA only if NA above)

2. Define Program Goals and Performance Standards <i>The jurisdiction may use a combination of documents (Law, Regulations, Quality Manual and/or other documents) to set goals and standards.</i>		
2.1	Management organizes the staff with defined areas of responsibility (both program areas and geographical territories or zones) and defined levels of supervision. <i>Is the jurisdiction organized as recorded on an organizational chart for inspection functions, including administration, support staff, and field inspection staff?</i>	Yes No
2.2*	Management maintains current job descriptions for each title/position. <i>Does the jurisdiction have written job descriptions describing duties and minimum qualifications for all positions?</i>	Yes No
2.3	Management defines program goals. <i>Are both general goals for the overall program as well as specific goals for individual projects defined in writing? Some goals will be defined in law and regulation, while most are administrative in nature.</i> <i>Can the Director identify examples and explain the process by which goals are set?</i>	Yes No Yes No
2.4*	Management maintains a performance evaluation program for all staff. <i>Are periodic performance evaluations conducted for each employee? Evaluations must include performance goals and standards, must identify training needs and must provide feedback to the employee?</i>	Yes No
2.5*	Management defines performance standards for registered serviceperson programs. <i>Are minimum performance standards established for registered servicepersons?</i> <i>Can management provide examples of how serviceperson performance is measured and describe how the program ensures that servicepersons are meeting their responsibilities? Management may use qualifying exams, follow-up inspections, etc.</i>	Yes NA Yes No NA (Use NA only if NA above)

3. Define Inspection and Test Procedures <i>The jurisdiction may use a combination of documents (Quality Manual, NCWM Publication 12 EPO's, and/or other manuals to define procedures.</i>		
3.1	Management defines minimum inspection procedures in writing for each inspection discipline. <i>Are written procedures in place to set minimum inspection criteria (refers to specifications, user requirements, labeling or markings, etc) to be applied for each device inspected (See Section 3.2 for testing)? Procedures may be in the form of NIST Handbooks, EPO's (NCWM Publication 12) or may be specific guidance documents.</i>	Yes No
3.2	Management defines minimum test procedures in writing for each inspection discipline. <i>Are written procedures in place to prescribe minimum tests (refers to examination of a device, package or practice for conformance with the tolerances and other applicable performance standards) to be applied to each device tested? Procedures may be in the form of NIST Handbooks, EPO's (NCWM Publication 12) or may be specific guidance documents.</i>	Yes No
3.3	Management defines procedures for use in complaint and/or undercover investigations. <i>Are written procedures in place to prescribe procedures and techniques for complaint and/or undercover investigations?</i>	Yes No

3.4	Management defines enforcement procedures. <i>Are written procedures in place for initiating enforcement actions?</i>	Yes No
	<i>Do those procedures identify what actions are available and when they are to be used (stop-use and condemnation orders, warning letters, penalties, or prosecution)?</i>	Yes No
	<i>Do the procedures identify the forms used, the legal filing procedures, procedures for scheduling reinspections, etc?</i>	Yes No
	<i>Do the procedures include "Due Process" provisions?</i>	Yes No

4. Provide Training for Each Inspector or Supervisor

Jurisdictions may use completion of the NTP courses as evidence of compliance in this area. For each item, can management provide documentation of training provided to each staff member?

4.1	Management provides training on law and regulations. <i>Was training provided?</i>	Yes No
4.2	Management provides training on organization and use of NIST Handbook 44. <i>Was training provided?</i>	Yes No
4.3	Management provides training on NTEP and use of Certificates of Conformance. <i>Was training provided?</i>	Yes No
4.4	Management provides training on safety. <i>Was training provided?</i>	Yes No
4.5	Management provides training on appropriate inspection and test procedures. <i>Was training provided?</i>	Yes No
4.6	Management provides training on use and care of standards. <i>Was training provided?</i>	Yes No
4.7	Management provides training on completion and processing of report forms. <i>Was training provided?</i>	Yes No
4.8	Management provides training on completion and processing of official orders. <i>Was training provided?</i>	Yes No
4.9	Management provides training on conduct of complaint and undercover investigations. <i>Was training provided?</i>	Yes No
4.10	Management keeps records of training provided to each inspector. <i>Are records of training maintained for each staff member, ranging from trainer logs, to attendance lists, to a database?</i>	Yes No
	<i>Are records in a form that can be accessed to assist in identifying training needs?</i>	Yes No

5. Provide Inspection Staff with Appropriate Reference Standards and Test Equipment

Is each inspector equipped with the necessary equipment and reference materials to conduct the inspections and tests specified for each inspection discipline?

5.1	Management provides current versions of Law and Regulations. <i>Are copies provided?</i>	Yes No
5.2	Management provides current version of Handbook 44. <i>Are copies provided?</i>	Yes No
5.3	Management provides current version of written procedures, Quality Manual, EPO's, program directives, etc. <i>Are copies provided?</i>	Yes No

5.4	Management provides inspectors with access to NTEP Certificates of Conformance. <i>Can each inspector get access to the information in the Certificate of Conformance for a device? Access may range from a copy of the certificate (Publication 5) to contact with another person who has a copy.</i>	Yes No
5.5	Management provides necessary standards and test equipment. <i>Is each inspector provided with test measure(s), certified by a NIST traceable laboratory, which is(are) appropriate for the task, including capacity (5 gallons for flow rates up to 20 GPM or equivalent of one minute at maximum flow for rates 20 GPM and over)?</i> <i>Is each inspector issued other associated test equipment appropriate for the task (e.g. tape measure for hose length)?</i>	Yes No Yes No NA
5.6	Management provides necessary support equipment. <i>Is each inspector provided with additional support equipment to conduct proper tests (e.g. a metal funnel with a non-sparking outlet), seals, including security seals and approval seals, seal press, other equipment (e.g. calculator, level and other hand tools, etc)?</i>	Yes No
5.7	Management provides inspectors with current versions of inspection reports, worksheets, and other forms. <i>Is each inspector provided with current versions of inspection reports, worksheets, and other forms?</i>	Yes No

6. Provide a Safe Working Environment		
6.1	Jurisdiction has a written safety program or policy. <i>Does the jurisdiction have a policy, reflecting current federal and state laws, regarding worker safety? Documentation may be in the Quality Manual, or may be in other documents such as state worker safety rules or federal OSHA standards.</i>	Yes No
6.2	Management actively promotes safety in all activities. <i>Is "Safety first" thinking integrated in all management programs including training, supervision, performance evaluation, etc?</i> <i>Are safety issues presented in training for each inspection area?</i> <i>Are supervisors required to evaluate inspector implementation of safety policies?</i> <i>Does management include safe practices as standards in inspector performance evaluations?</i>	Yes No Yes No Yes No Yes No
6.3	Management issues personal protective equipment and other safety equipment to each inspector. <i>Has safety equipment been issued as necessary for each inspection discipline (See standards and equipment section for each device type)?</i>	Yes No NA

7. Provide Record Keeping Systems to Record and Evaluate Program Progress		
7.1	<p>Management designs appropriate report forms to collect data to support the enforcement programs. (Check each box below as appropriate)</p> <p><i>Does the form provide space to record the following general information?</i></p> <ul style="list-style-type: none"> <input type="checkbox"/> Form title, number and revision date. <input type="checkbox"/> Agency name, address and phone number. <input type="checkbox"/> Inspection number that uniquely identifies the inspection. <input type="checkbox"/> Inspection date. <input type="checkbox"/> Name, address and phone number of establishment inspected. <input type="checkbox"/> Remarks area for official comments and summary of inspection and test results. <input type="checkbox"/> Signature of inspector. <input type="checkbox"/> Optional: Signature of establishment representative. <input type="checkbox"/> Optional: Type of inspection, routine, reinspection, investigation, etc. <input type="checkbox"/> Optional: Zone or territory where establishment is located. <input type="checkbox"/> Optional: Classification of the establishment. <input type="checkbox"/> Optional: Brand affiliation of establishment <p><i>Does the form provide space to record the following specific information for each device inspected?</i></p> <ul style="list-style-type: none"> <input type="checkbox"/> Manufacturer, model and serial number of the device inspected. <input type="checkbox"/> Size of the test draft(s) used in the tests. <input type="checkbox"/> Tolerance applied, acceptance or maintenance. <input type="checkbox"/> As-found error, normal test. (Maximum discharge rate) <input type="checkbox"/> As-found error, special test. (Minimum discharge rate) <input type="checkbox"/> Final error, normal test, if different from the as-found error. <input type="checkbox"/> As-found and final compliance of the device. May be P/F or narrative. <input type="checkbox"/> Optional: NTEP CC number for new devices. <input type="checkbox"/> Optional: Results of other tests (e.g. anti-drain valve, RFI/EMI, zero-setback interlock, price computation, etc.) <input type="checkbox"/> Optional: User identification of the device inspected. <input type="checkbox"/> Optional: Type or grade of product dispensed. <input type="checkbox"/> Optional: Unit price of product and value of any shortage or overage. 	<p>Yes No NA</p> <p>Yes No NA</p>
7.2	<p>Supervisors review and/or verify inspection reports of subordinates. <i>Do supervisors review inspection reports and/or conduct follow-up inspections to evaluate inspector performance and identify potential problems?</i></p> <p><i>Is this responsibility written in the performance evaluation program of each supervisor?</i></p>	<p>Yes No</p> <p>Yes No</p>
7.3	<p>Management collects inspection reports at a central location(s) for electronic data entry and/or filing. <i>Is an organized filing system in place to retain official records?</i></p> <p><i>Is the filing system documented and can authorized staff find and retrieve records as needed?</i></p>	<p>Yes No</p> <p>Yes No</p>
7.4*	<p>Management has an established record retention program and archiving procedure. <i>Are record retention periods established for each type of record and are archiving procedures documented in writing?</i></p>	<p>Yes No</p>

8. Take Action on Violative Inspection Results		
8.1	Agency takes appropriate enforcement actions against violators. <i>Does management have records of enforcement actions taken?</i>	Yes No
	<i>Can management provide examples of how enforcement procedures were used at all levels (i.e. from field inspector issuing stop-use orders to management citing penalties, rescinding licenses, or initiating prosecutions)?</i>	Yes No

9. Program Review and Improvement		
9.1	Management evaluates program effectiveness at all levels. <i>Does management have a documented review program to evaluate program effectiveness on a continuous and/or annual basis?</i>	Yes No
	<i>Can management provide examples of the process and provide examples of changes that have been made to the laws or regulations, program goals and standards, inspection/test procedures, training program, inspection/test equipment, safety program, record keeping, and/or enforcement procedures?</i>	Yes No
9.2*	Management reaches out to consumers and industry to promote the program and encourage compliance at all levels. <i>Can management describe examples of outreach programs directed at regulated parties?</i>	Yes No NA
	<i>Can management describe examples of outreach programs directed at servicepersons?</i>	Yes No NA
	<i>Can management describe examples of outreach programs directed at consumers?</i>	Yes No NA

Rater: _____

Date: _____

See attached comment sheet.

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Jurisdiction: _____ Director Name: _____

Administrative Responsibilities Comment Sheet

Requirement	Comment

Rater: _____

Date: _____